



09-07-04

# RCE  
ITW

Attorney Docket No. 039386-0536  
Application Serial No. 09/877,633

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Lal et al.  
  
Title: **DIAGNOSTIC  
MARKER FOR  
HUMAN CANCERS**  
  
Application No.: 09/877,633  
  
Application Filing Date: 06/08/2001  
  
Examiner: Slobodyansky,  
Elizabeth  
  
Art Unit: 1652

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

EV 505796837 US September 3, 2004  
(Express Mail Label Number) (Date of Deposit)

Deborah A. Kocorowski  
(Printed Name)

*Deborah A. Kocorowski*  
(Signature)

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

Enclosed are:

- ☒ [ X ] Amendment/Reply (17 pages).
- ☒ [ X ] Information Disclosure Statement (2 pages).
- ☒ [ X ] Form PTO/SB/08 (2 pages).
- ☒ [ X ] Copies of 13 referenced documents.

09/07/2004 SDENBOB1 00000089 09877633

01 FC:1801

770.00 0P

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	15	- 20	= 0	x \$18.00	= \$0.00
Independents	4	- 4	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$110.00	1	\$110.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$110.00
EXTENSION FEE ALREADY PAID: -			\$0.00
EXTENSION FEE TOTAL			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$880.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$880.00

☒ A check in the amount of \$880.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Attorney Docket No. 039386-0536  
Application Serial No. 09/877,633

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 9/3/04

FOLEY & LARDNER LLP  
Customer No. 22428

By M. Scott McBride

M. Scott McBride  
Attorney for Applicant  
Registration No. 52,008  
Telephone: (414) 297-5529  
Facsimile: (414) 297-4900



Attorney Docket No. 039386-0536  
Application Serial No. 09/877,633

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Lal et al.

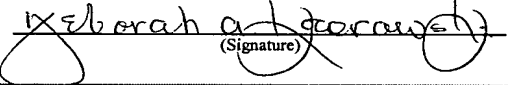
Title: DIAGNOSTIC MARKER FOR  
HUMAN CANCERS

Appl. No.: 09/877,633

Filing Date: June 8, 2001

Examiner: Slobodyansky, Elizabeth

Art Unit: 1652

<b><u>CERTIFICATE OF EXPRESS MAILING</u></b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 505796837 US (Express Mail Label Number)	September 3, 2004 (Date of Deposit)
Deborah A. Kocorowski (Printed Name)	
 (Signature)	

**AMENDMENT AND REPLY**

**FILED WITH REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This submission is included with a Request for Continued Examination.

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this document.

**Remarks** begin on page 7 of this document.

Please amend the application as follows:

09/07/2004 SDENBOB1 00000089 09877633

02 FC:1251

110.00 OP